

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

EMMANUEL CORNET, JUSTINE DE
CAIRES, GRAE KINDEL, ALEXIS
CAMACHO, JESSICA PAN, EMILY KIM,
MIGUEL BARRETO, and BRETT MENZIES
FOLKINS, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

TWITTER, INC.,

Defendant.

C.A. No. 23-CV-441-TMH

DEFENDANT’S CITATION OF SUBSEQUENT AUTHORITY

Defendants hereby submit this citation of subsequent authority pursuant to Local Rule 7.1.2(b) to alert the Court to the recent Report and Recommendation issued by the Magistrate Judge in *Arnold, et al. v. X Corp.*, Case No. 1:23-cv-00528-JLH-CJB (D. Del. Dec. 5, 2024) (Dkt. No. 110) (attached as **Exhibit A**). This in-circuit decision issued less than two weeks ago resolves key issues relating to the alleged third-party beneficiary breach of contract claim at issue in Defendant’s Motion to Dismiss and Strike Class Allegations (Dkt. Nos. 77, 78), which was filed on May 17, 2023 and remains pending before this Court.

Dated: December 18, 2024

Eric Meckley (*pro hac vice*)
One Market, Spear Street Tower
San Francisco, CA 94105
415-442-1000
eric.meckley@morganlewis.com

T. Cullen Wallace (*pro hac vice*)
1000 Louisiana Street, Suite 4000
Houston, TX 77002-5005
713-890-5722
cullen.wallace@morganlewis.com

MORGAN, LEWIS & BOCKIUS LLP

/s/ Jody C. Barillare
Jody C. Barillare (#5107)
1201 N. Market Street, Suite 2201
Wilmington, Delaware 19801
302-574-7294
jody.barillare@morganlewis.com

*Attorneys for Defendants X Corp. f/k/a
Twitter, Inc. and X Holdings Corp. f/k/a
X Holdings I, Inc.*